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LABOR STRUGGLES, NEW SOCIAL MOVEMENTS, AND AMERICA'S FAVORITE PASTIME: NEW YORK WORKERS TAKE ON NEW ERA CAP COMPANY

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ABSTRACT: *Contemporary economic globalization, which is driven and regulated primarily by multinational corporations, has a direct impact on workers' lives. Trade agreements such as the North American Free Trade Agreement (NAFTA) tend to be controlled by corporate interests in the wealthy, industrialized nations. Those countries set the agenda to protect the interests of foreign investors and facilitate the mobility of capital, but they do little to protect the interests of labor. In response, workers in both the global North and South have been forced to rely on their own individual efforts to protect themselves against unfair labor practices. This article presents an in-depth analysis of a successful worker strike against New Era Cap Company in upstate New York. The research builds on interviews with union leaders, directors of nongovernmental organizations and other community groups, and high school and college students who participated in the struggle. The author situates this analysis within a social movement framework to identify how power dynamics in the contemporary global economic system can be contested at the local level. The changing social structures produced by economic globalization experience a convergence of theories that explain both "old" and "new" social movements.*

KEYWORDS: economic globalization, labor, social movements, unionization

Contemporary economic globalization, which is driven and regulated primarily by multinational corporations (MNCs), has a direct impact on workers' lives. Trade agreements such as the North American Free Trade Agreement (NAFTA) tend to protect the interests of foreign investors and facilitate the mobility of capital, but they do little to protect the interests of labor. Decentralized subcontracting arrangements allow MNCs to constantly relocate in the pursuit of lower wages and lax labor and environmental laws. The garment industry in particular has been experiencing economic restructuring worldwide, becoming a "borderless transnational production network, having grave impacts on jobs, communities and industries locally"

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(Bonacich and Applebaum 2000:12). As production moves offshore at an accelerated rate, workers are organizing to resist the race to the bottom, that is, the tendency of MNCs to minimize workers' rights and wages, thereby forcing them into deeper poverty and isolation. Workers across the global North and South are collaborating with other activists across national borders, using networking and outreach to forge a globalization from below against corporate domination (Carty 2004).

This article presents an in-depth analysis of a successful worker strike against the New Era Cap Company in Derby, New York, one of the poorest communities in western New York (WNY). For decades WNY had been a significant industrial area. However, factory employment in the area has decreased by over one-half since 1958, and employment in manufacturing jobs is at the lowest level in over forty-four years (Hiestand 2002). As the manufacturing base continues to be decimated, the population in Buffalo (in the heart of WNY) has dropped by 10 percent in the past decade. Given this economic environment and the leverage that MNCs have over local communities, the success of the Derby workers (the only unionized New Era plant) was all the more remarkable.

New Era is the most profitable baseball cap manufacturer in the world and is currently the only major producer of caps that still employs workers in the United States. Originally a small, family-run enterprise, the company has grown over the past several decades to become a multimillion dollar corporation. Therefore, if the strike had not been successful and New Era had relocated, communities throughout WNY would have been devastated. The struggle was successful because activists adopted new strategies, forging alliances between unionists and other worker-rights advocates and undertaking both a corporate campaign and grassroots community organizing.

I situate the analysis within a framework social movement theory. The literature on new social movements (NSMs) in particular allows us to conceptualize the organization of grassroots efforts among workers, students, and other actors to forge a multiclass and multi-identity coalition that was sustained throughout the worker strike. I argue, however, that the emerging student anti-sweatshop movement, which works in solidarity with the labor movement, combines organizational and identity features that social movement theorists tend to separate. I focus on four aspects of the New Era mobilization efforts employed during the strike: networks of support; tactics and strategies; framing and ideology; and identity and emotions. The data I collected from interviews and surveys suggest that the solidarity work that is taking place across coalitions is indicative of a new type of social movement unionism that includes a large role for students and other activists. The structural conditions within the local context aided in the creation of solidarity and collective identity and fueled the mobilization through a collective action frame that workers, students, the community, and national and transnational actors could readily relate and respond to. This sense of collective identity, in conjunction with the various strategies employed and the alliances that were forged, gave the challengers the necessary leverage over the corporation to force New Era to agree to their demands.

I use a wide range of data to examine this case study, including in-depth interviews, surveys, newsletters, internal documents and memos, newspaper articles,

and other primary and secondary sources. I interviewed the leader of the local union, CWA 14177, and the area director of the national union that represented the workers, as well as the directors of key nongovernmental organizations (NGOs) and community groups that joined in solidarity with the workers in WNY. Some of these interviews were in person and others were by phone. The information gleaned from these interviews, which were mostly informal with a few standardized questions, helped me to reconstruct how the case unfolded and to understand the motivation for resistance among those directly and indirectly impacted by the labor controversy. I also relied on secondary sources to analyze dozens of student-conducted interviews with workers that were documented in publications by United Students Against Sweatshops (USAS) and the Workers Rights Consortium (WRC).

LABOR STRIFE IN THE U.S. GARMENT INDUSTRY

The garment industry has historically been a centrifugal source of tension between workers and employers. There is abundant literature on the exploitation of workers in the garment and textile industry (Bonacich 2000; Ross 1999; U.S. Department of Labor 1996; Varley 1998). Sweatshops have proliferated in the U.S. apparel industry since the 1800s, when millions of immigrants, mostly from Europe, arrived desperate for work (Commons 1997). Nearly two hundred years later, former Secretary of Labor Robert Reich called sweatshops in the United States a "national disgrace." He noted that over one-half of the cutting and sewing shops in the garment industry pay less than the minimum wage and over one-third threaten workers' health and safety (Ross 1999:11). According to the General Accounting Office, over one-third of the apparel shops in New York and Los Angeles and four-fifths of those in Miami are sweatshops.

Part of the reason for these deteriorating working conditions is the mobility of capital. This phenomenon began in the United States as early as the 1920s, when New York firms began closing their own factories and contracted work to "foreign zones"—poor areas of New Jersey and Pennsylvania (Ross 1999:14). In the 1950s and 1960s U.S. corporations extended production to the low-wage and right-to-work South, and then eventually overseas. Beginning in the early 1980s, the Reagan and Bush administrations spent hundreds of millions of dollars promoting low-wage offshore production in Central America and the Caribbean, which resulted in a loss of 497,000 textile and apparel jobs in the United States. Apparel employment in the United States has decreased by 18.9 percent since 1980 (U.S. Department of Labor 1996). In 1980, 70 percent of all apparel purchased in the United States was produced domestically. Today, imports account for more than one-half of the U.S. apparel market, and workers in the United States earn less in real wages than they earned in 1955 even though they are twice as productive (Ross 1999:14). Workers in this industry also tend to be among the most vulnerable: 76 percent of all U.S. apparel workers are female, and 36 percent are members of racial minorities (AAMA 1992).

Unionization has consistently been the most effective tool to combat sweatshops, but its success has fluctuated with political and economic changes. In 1910 over forty thousand cloakmakers in New York sustained a two-month strike that ended in an agreement between union and manufacturer representatives. The

agreement, called the Protocols of Peace, helped to democratize the regulation of the industry by mandating preferential hiring for union members, guaranteeing workers' participation in oversight of factory conditions, and instituting a joint grievance procedure (Howard 1997:54).

Unionization efforts peaked during the mid-1960s. At that time over one-half of the 1.2 million workers in the U.S. apparel industry were organized, and real wages had been increasing for decades. In 1969, the largest apparel union, the International Ladies Garment Workers Organization, had 457,000 members (Bonacich 2000:137). By 1995, when it merged with the Amalgamated Clothing and Textile Workers Union, union membership was less than 200,000. Now less than 10 percent of workers in the private sector belong to unions, and there are twenty-two states in which right-to-work rules outlaw collective bargaining (Hayes 2005). The number of workers belonging to unions today is at a sixty-year low; ironically, the percentage of people wanting to join a union has grown from 30 percent in 1984 to 47 percent in 2004 (Hayes 2005). One reason many U.S. workers do not join a union is that 91 percent of employers use managers to threaten and intimidate workers' attempts to unionize (Varley 1998). Similarly, outside of the United States, garment workers' organizing campaigns are often violently defeated (Quinteros et al. 1998).

NEW SOCIAL MOVEMENT THEORY AND SOCIAL MOVEMENT UNIONISM

Recent scholarship on NSMs has focused on how emotional bonds between activists help to forge and sustain collective identity. Research based on social constructionist theory examines the emergence of NSMs, the trajectories of their growth, and the strategic choices that NSM activists make, as well as how politics, ideology, values, and culture motivate people into action (Kandermans 1994; Melucci 1996). At the heart of this research is recognition of a shared cognitive worldview, or a sense of collective identity among the participants, that explains why people are willing to invest time and energy in protest efforts. Polleta and Jasper (2001) define collective identity as "a perception of a shared status or relationship, which may be imagined rather than experienced directly, and is distinct from personal identities" (248). Goodwin, Jasper, and Polleta (2001) suggest that when people feel moral indignation, disrespect, and anger about perceived injustices, even those they have experienced only indirectly, they may participate in social movements not only to enforce policy change but, perhaps more importantly, to gain dignity. The researchers further argue that without compassion, indignation, and moral shock, the transnational movements against sweatshops, the World Trade Organization, or the U.S. war against Iraq would have been narrower and less able to recruit people.

Key to forging collective identity is the way organizers "frame" their issues to resonate with potential recruits and to interest the broader public in the hopes of influencing public opinion and events (Benford 1993; Snow and Benford 1992). Portraying the reality and severity of a social problem by focusing on "suddenly imposed grievances"—dramatic and unexpected events that highlight the problem—can serve as a "pull factor," raising consciousness and motivating individuals to join a movement (Walsh 1981).

Although collective identity and framing are key variables affecting the strength and success of movements, there is no agreement among social movement theorists regarding the consequences of social movements because direct causal relations are very hard to systematically define (Earl 2004). Nonetheless, there is empirical evidence that points to a few variables that impact the success of social movements. These include taking strategic advantage of existing political opportunities, forming alliances and coalitions that expand the movement's base of support, and expressing a clearly defined set of goals that movement supporters can relate to. Cress and Snow (2000) propose that in order for a movement to have an impact, it is necessary for organizers to employ resonant "prognostic" and "diagnostic" frames, that is, to identify problems and pose solutions in a way that mobilizes participants and appeals to third parties. Tilly (1999) argues that a movement's public displays of worthiness (or moral standing) are critical to a movement's impact, along with its unity, numbers, and commitment. Demonstrating that the suffering in question is "undeserved" is also crucial. It is important to draw third parties into any social movements (e.g., the civil rights movement would not have been successful if a significant number of non-blacks had not worked in solidarity with African Americans).

Social movements rarely achieve goals as a direct result of their actions. Gamson (1990) proposes that successful outcomes occur either when the challengers' goals are realized or, more frequently, when the target of collective action recognizes the challengers as legitimate representatives of a constituency, thereby altering the relationship between challengers and target. And finally, Marullo and Meyer (2004) define success as the challengers' ability to change public opinion, force policymakers to alter their goals, and undermine the institutional or political infrastructure that support the policies they are in contention with.

Within the NSM literature there is increasing consensus that the organizational structure of activism and the role of participants have changed, and therefore the "newness" is a quality both of the social structures to which movements respond and the forms of collective action themselves (Johnston 1994). The mobility of capital and the decentralization of global supply chains, as well as the associated novel power repertoires at MNCs' disposal, are bringing forth a convergence of multiclass- and multi-identity-based struggles. To understand the impact of these changes on collective action, social movement theory is forced to rethink the relationship between the labor movement and NSMs (Smith and Johnston 2002; Keck and Sikkink 1998; della Porta, Kreisi, and Diani 1999).

The labor movement is indeed beginning to recognize that in order to strategically respond to the race to the bottom and other difficulties it has experienced over the last few decades, it must advocate a revival of "social movement unionism," which combines militancy, union reform, and alternative forms of organizing (Voss and Sherman 2000:348). Social movement unionism calls for widespread support from workers in various industries to work in solidarity with community groups and other movements and to engage them in alliances in an overall struggle for justice. Clawson (2003) argues that the labor movement must form alliances with all oppressed peoples that are excluded from positions of power. He states, "Labor must do more than build alliances; it must fuse with

these movements such that it is no longer clear what is a 'labor' issue and what is a 'women's' issue or an 'immigrant' issue. . . . The only way progressive forces will deal with the needed issues is if groups organize autonomously around issues, identities and concerns" (pp. 194-95). Groups are thus encouraged to practice "solidarity without borders of any kind" (Moody 1988:95). In this way, they can concentrate on the local concerns in a company or industry while also undertaking joint organizing and participating in coalitions with other movements (Brecher, Costello, and Smith 2000).

Thus, a goal of social movement unionism is to project a vision of an alternative social system, one that sees injury to one as an injustice to all (Moody 1998). The new movement examines how global issues have local effects on working class communities, on the poor and on people of color, combining local strategies with national and transnational strategies. This type of solidarity unionism operates with local autonomy at the community level, while simultaneously advocating worker solidarity globally. Such an approach acknowledges the nature of globalization while embracing a strategy that is applied locally (Munck 2000). This new strategy requires labor to redefine itself as a broad partisan force that encompasses local and national coalitions with a broad spectrum of social groups.

Social movement unionism is perhaps embodied most clearly in the new relationship between students and labor. University campuses have become one of the most important fronts for the revitalization of the labor movement. Beginning in 1995, United Needle Trades and Industrial Textile Employees (UNITE) and the American Federation of Labor and Congress of International Organizations (AFL-CIO) started training students in labor history and organizational tactics through summer internships. During this time, students work as union staffers and representatives on labor campaigns across the country. In 1998 some of these student interns formed USAS as a campus-based movement to end sweatshop labor. USAS is now a national student movement with chapters on over 180 campuses. The networking between students and labor remains strong. UNITE underwrites the cost of USAS national meetings each year. The AFL-CIO and the United Steel Workers and the Service Employees International Union (SEIU) also support USAS financially and logistically and have hired several USAS members to work as researchers and organizers (Friedman and Tanniro 2003).

The SEIU, Hotel Employees Restaurant Employees, and Communication Workers of America (CWA) have also utilized the revitalization of student activism to get students involved not only in university campaigns but also in community, national, and global politics. Through living wage campaigns, for example, labor activists and students campaigned to unionize food service workers across the country and have successfully pressured universities to remove Taco Bell from nineteen college campuses because they fail to pay their tomato pickers a fair wage (Moberg 2002). Student Labor Action Project and SEIU initiated the recent successful Justice for Janitors campaign at Harvard University. The twenty-one-day sit-in was also supported by the U.S. Carpenters' Local Union, Jobs with Justice (JwJ), and Harvard dining hall workers, who were in the middle of negotiating their own contract and listed amnesty for the students as one of their demands (Manners 2001). The AFL-CIO leaders staged a 1,500-person rally at Harvard, and

their lawyers helped shape the students' final agreement with the administration (Manners 2001).

Student and labor organizations have also engaged in successful international campaigns. The coalition of USAS, United States Labor Education in the Americas Project, Campaign for Labor Rights, the Maquila Solidarity Network, UNITE, and other human rights groups, activists, and consumers organized in both Mexico and the United States to assist workers achieve a victory at the Mexmode factory in Puebla, Mexico, which licenses with Nike and Reebok. This is the first factory in the Mexican *maquila* industry to have an independent union (Carty 2004).

HISTORY OF THE NEW ERA CAP COMPANY AND BACKGROUND OF THE STRUGGLE

New Era is a privately owned company that is now in its fourth generation of family owners. In 1920, Ehrhardt Koch opened the first plant in Buffalo, New York, to specialize in producing the Gatsby cap, a high-end fashion cap for men. Ehrhardt's vision was to run a family business, and in 1925 he hired his only son. When the Gatsby went out of fashion in the 1930s, Ehrhardt began manufacturing what he perceived would be a timeless commodity—the baseball cap. In the early 1960s the family opened a second plant in Derby, New York. It later opened a third factory in Demopolis, Alabama, in 1998, and a fourth in Jackson, Alabama, in 2000. New Era began offshore production in 2002, and it currently subcontracts with plants in China and Bangladesh.

New Era is the largest supplier of baseball caps in the United States. The product line consists of over one thousand cap models, and production exceeds 12 million caps per year. The company has an \$80 million contract with Major League Baseball (MLB) and serves as its exclusive supplier of hats; 55 percent of its business comes from MLB. It also supplies the National Basketball Association (NBA), the National Hockey League (NHL), the National Football League (NFL), Little League, and thirty-seven colleges and universities with its caps (http://www.neweracap.com/about_nehistory.cfm). Over 8 million youth league, high school, and college baseball players wear New Era caps as part of their uniform, as do over two hundred PGA professionals during their tour play. New Era also sells merchandise to the public through stadium vendors and hat stores.

Most revenue generated from the sale of baseball caps (\$1.2 billion annually in the United States) comes from imports, as production costs in the global South are considerably lower. For example, unit labor costs for high-end caps manufactured at the Derby plant are \$2.80 per cap, but costs for the same cap made in Bangladesh come to only fifteen to twenty-five cents (Lane 2001). Nonunionized plants in the United States also have much lower production costs than do unionized plants; at the New Era plants in Alabama, labor costs are \$1.10 per cap. Thus, New Era claims that foreign competition has forced it to cut costs and increase efficiency by diversifying production and outsourcing more of its manufacturing base either to the southern part of the United States or to developing countries. This has obviously caused concern among workers at the Derby facility.

Additional worker grievances began accumulating in the late 1990s: CWA

charged New Era with violating federal labor laws and providing unsafe working conditions. The company had also been cited for Occupational Safety and Health Association (OSHA) violations nineteen times over a twelve-year span. Interviews with workers undertaken by the WRC found that repetitive-motion injuries at the plant were over five times the national industry average and that workers were consistently denied legal compensation for work-related injuries (WRC 2001). Another worker grievance was the company's deception about the origin of its caps (Palmer Interview 2003). Workers at Derby were ordered to cut out labels saying "Made in Bangladesh" and replace them with the New Era label. The disclosure that official MLB caps were no longer being made under union conditions in New York would have very important repercussions in the ensuing labor struggle. It also helped to solidify student support and increase pressure from many colleges and universities on New Era because making caps in Bangladesh is against their codes of conduct (Howald Interview 2003).

In 1997 the workers at the Derby plant had affiliated with the CWA to form Local 14177. In doing so, they dismantled the former union, which had been chosen and chartered by the company in order to appease the MLB, which stipulated that it would only contract with a unionized workforce. Over the years, several attempts by workers at Derby to join an AFL-CIO-affiliated union had failed because of pressure from management. Also in 1997, CWA had initiated a campaign to affiliate the union at the Buffalo plant (about fifteen miles outside of Derby) with the national union. At the Buffalo plant, 80 percent of the workers are nonwhite, and many are recent immigrants who do not speak English.

In September of 2001 the National Labor Review Board (NLRB) ruled that New Era CEO Fred Koch demonstrated a hostile attitude toward unionization efforts at the both the Buffalo and Derby facilities by statements he had made to his management and employees and by surveillance of pro-CWA activity and the destruction of the organizers' property. For example, after telling workers at the Buffalo plant about the negative consequences of joining an independent union, managers offered to transport the workers to the voting site, which was just two blocks away, and to pay for their time. The NLRB also found New Era guilty of intimidation and of seeking to obtain favor with Asian employees at the Buffalo plant, who were in the majority (Beddow 2001).

Management tried similar tactics at the Derby plant, but they were not successful. Company officials at New Era told the workers that their affiliation with an AFL-CIO union could result in the plant's closure and would terminate the "family" nature of the enterprise (USAS 2001:6). In the weeks preceding the vote on the CWA affiliation at the Derby plant, New Era fired the union president and three other officers (Greenhouse 2001). Before the local union had formed, Koch sent a letter to the officers of the company union stating that the MLB contract was New Era's "life blood" and expressing fear of competition from offshore bidders. Koch explained, "You, as union officers, have the fate of 600 members on your hands. It is your obligation to work with the company so that you can protect their jobs and their livelihood" (Beddow 2001).

Another measure the company tried to invoke in retaliation was to demand a vote on the decertification of the new union. However, workers voted by a four-

to-one margin to reject this campaign. New Era then announced it would lay off 125 CWA members, and that it had plans to lay off 100 additional workers within the next six months. There were 600 union members when the workers first affiliated with the CWA, but by 2001 there were only 450 (Howald Interview 2003). The company also reported that the work was being shifted to nonunionized plants in Buffalo and Alabama, where workers make about one-half the average wage of those in Derby, and it also began outsourcing manufacturing to China and Bangladesh.

The old contract between the workers and management had expired December 1, 2000. Negotiations were stalled as New Era demanded concessions from the workers that they found unacceptable. Under the company's "final" proposal, 70 percent of the workforce would have undergone an average decrease in wages of ninety dollars a week (Phillips 2001). The company also altered its efficiency standards, meaning that employees would have had to produce more per hour to achieve the same wage. Though management insisted it needed to increase efficiency to keep up with international competition, at the time the Derby factory had a 98 percent on-time delivery record (Hayes 2001). As the president of the local union, Jane Howald, explains, Koch's offer "would have spelled financial and physical doom for its workforce, coupling a transfer to engineered standards of production with a low base wage, the elimination of years of accumulated COLA, no pension, no job security, and no solution to a workforce hobbled by rampant repetitive-motion injuries. . . . such an offer was insulting to our members . . ." (CWA press release 2002a).

The union viewed the offer as a manipulative attempt to legitimize outsourcing to nonunion plants on the basis that management and workers could not reach an agreement. They therefore rejected New Era's final offer by a vote of 238 to 10 on April 21, 2001. In May, workers voted to strike (221 to 69), and they walked out on July 16, despite the fact that "they had no idea how to run a strike" (Howald Interview 2003). The CWA representatives actually tried to convince the workers to explore other options, sure that the workers would lose their jobs to the nearby plants in Buffalo and Alabama (Palmer Interview 2003). However, the workforce felt so exploited and disrespected by the firm that they were willing to risk everything. The stakes were incredibly high, as New Era was a critical source of employment in the county, and for much of the workforce it was the only life they knew. In spite of this, the workers organized themselves "from scratch" to contest New Era's labor practices. "People who never voted for a union and who were resistant to the idea of collective bargaining were on the picket line because the company had pushed them so far" (Howald Interview 2003). The workers' sense of collective identity and political mobilization was thus based not only on material issues, but on a sense of moral indignity and the experience of being disrespected, and over the next year this sense of solidarity and engagement in collective action broadened to include hundreds of other activists at the local and national level.

THE MOBILIZATION

It was the support of these various participants that enabled the workers to achieve their victory. The workers initiated the strike after asking for assistance from and ensured the backing of a number of different groups with whom they

would work in solidarity. These included student groups such as USAS and the WRC; worker alliances such as the local and international CWA union, the National Labor Union, and members of the AFL-CIO and other local unions; and community affiliations that included JwJ and the Coalition for Economic Justice (CEJ).

In June 2002 the CWA announced that a tentative labor contract had been agreed upon between workers and managers, under which New Era would raise base wages by 4 percent and pay for an independent study of production quotas. Base production rates were raised to \$9.50 an hour, from the company's proposal of \$9.10, with a ten-cent increase each year of the contract (Williams 2002). The union voted in a four-year collective bargaining agreement in July 2002, after being on strike for almost one year.

Student Involvement

Students got involved in the spring of 2001, when JwJ, a national NGO with a strong local base in WNY, contacted USAS about the stalled negotiations. In March 2001 the CEJ (the local affiliate of JwJ) worked with USAS to bring a national delegation of USAS students at the Derby plant. After interviewing dozens of workers, USAS published a report revealing that "these testimonies . . . reflect a community with a deep sense of pride in their work and a tremendous commitment to the well-being of a company they have helped build over the course of generations. . . . New Era's effort to oust Local 14177 and punish workers who utilize the union-negotiated grievance procedures and disability benefits, is no different from the behavior of other sweatshop companies, except perhaps that their attack on unions is more vigilant" (USAS 2002:12).

The report also revealed that workers were told on numerous occasions that joining the CWA union would cost them their jobs because the factory would close. In May 2001 workers filed a formal complaint with the WRC, alleging violations of university codes of conduct. The CEJ worked with the WRC to recruit professional investigators to inspect the plant and interview workers. The WRC is a nonprofit, independent monitoring organization, established to help colleges and universities enforce their manufacturing codes of conduct. It released a preliminary report in August of 2001, depicting significant problems related to freedom of association and health and safety issues. The report, which remained "preliminary" because New Era had refused to meet with the assessment team and to respond to the WRC's concerns, stated that management ". . . had not accepted its responsibility, under law and codes of conduct, to work in good faith with the union representing the Derby workers, resulting in significant violations of workers' associational rights. . . . New Era has not implemented a minimally adequate program to protect workers from injury and illness in the workplace . . . [and] the president, managers, and supervisors are imbued with anti-union animus to an extraordinary degree."

Ironically, in the midst of the controversy, New Era applied for admission into the Fair Labor Association (FLA). The FLA is made up of corporations and student and human rights groups that are affiliated with various colleges and universities. Being a member of the FLA certifies that licensors are upholding agreed-upon codes

of conduct. Thus, New Era's membership would have appeased any concerns among FLA-affiliated schools about the company's labor practices. New Era was in jeopardy of losing contracts with four hundred schools if it did not receive FLA approval. Thus, the CEJ began to work with the AFL-CIO in lobbying FLA board members to vote against admitting New Era into their program. CWA contacted the president of the National Consumers League, recommending that the FLA Monitoring Program deny FLA membership to New Era (CWA document 2002b).

The president of the national CWA office, Morton Bahr, also wrote to the president of UNITE asking that s/he (UNITE's president) lobby board members representing some of the most influential companies on the FLA committee (PPMWS document 2001). He specifically suggested pressuring the CEOs of Liz Claiborne, Levi Strauss, and Phillips-Van Heussen, all of which had recently conceded to activists' demands to improve working conditions and ensure freedom of association in their offshore manufacturing plants. The letter argued that New Era had failed to show a real intention to adopt the FLA Workplace Code or to implement a monitoring program consistent with FLA's principles. Bahr noted that Koch had dismissed the WRC preliminary report as a set of "baseless allegations" and "so blatantly absurd as to be unworthy of consideration" (PPMWS document 2001). The letter further stated that Koch's denial of findings, both those of the NLRB judge and those of the OSHA investigation, as well as his claim that all of its collegiate production was from U.S.-based plants, is indicative of the dishonesty of New Era.

In December of 2001, CWA Area Director David Palmer circulated a letter to union members with a list of all local schools that had a contract with New Era. He encouraged the parents of children attending any of the schools to write to that school noting their disapproval of the labor dispute at the plant. Networking at the grassroots level between workers and college students was also aggressively pursued. Students attended CWA rallies at the University of Buffalo and at the factory, and UB students petitioned their president to suspend the university's licensing contract with New Era. The NLC, in conjunction with the CWA, USAS, and the United Steel Workers, brought workers from Bangladesh to speak about conditions workers face in New Era factories overseas. The NLC also coordinated with the AFL-CIO for delegations of USAS members to visit factories in developing countries. These educational and cultural exchanges proved critical for increasing awareness of the local/global connection, helping participants to realize that sweatshop conditions are not exclusive to the developing world.

Student activists also created sample letters and made them available online for students and other activists to send to factories that were violating labor codes and to university administrations that were doing business with such factories. They also provided press materials for students to use in mobilizing local media, and a sample resolution for university governing bodies that called for the rehiring of laid-off workers and for the return of New Era to the bargaining table in good faith (www.usasnet.org). In the USAS "Action Plan for the New Era Struggle," students identified a number of long-term goals. These included the following: make sure Local 14177 always knows what students are doing; show the connection between New Era and Kukdong [a Korean apparel company exploiting maquila workers in Mexico]; strengthen links between students and the CEJ in

Buffalo; bring to light the situation of New Era factories abroad; make sure the JwJ conference will include something on New Era; have students send support letters to New Era workers; encourage students to throw benefit parties for the workers; and follow up with the AFL-CIO Solidarity Center in Bangladesh concerning labor practices at the New Era facility there. This list clearly demonstrates an intentional strategy to coordinate student and labor concerns, agendas, and mobilizing strategies to form a broad movement around a global issue to be contested at the community level.

In the fall of 2001, in response to student pressure, Duke, Georgetown, University of North Carolina–Chapel Hill, the University of Wisconsin at Madison, George Washington University, and the University of Iowa either ended their contracts with New Era or postponed the renewal of their annual licensing agreements until the company responded to accusations. Students from Ohio State University, the largest university buyer, called CWA's Palmer during the final negotiations with New Era. They stated that if an agreement was not made that night, they had assurance from their administration that their university's contract would be suspended. According to Palmer, this helped clinch the settlement (Palmer Interview 2003). Intervention by university licensors and students also influenced Koch to cooperate with the WRC and allow its members unrestricted access to the facility and interviews with management. In the follow-up visit in 2002, the WRC concluded that remediation at Derby had been "extensive and sincerely motivated by the desire of New Era management to cooperate with the workers, with the WRC and with the university licensors" (WRC 2002:19).

The student/worker alliance was successful in part because the diagnosis of the problem was consistent with what the targets of recruitment themselves perceived in their immediate surroundings. The reports issued by USAS and the WRC helped demonstrate the "undeserved suffering" of the workers and their "worthiness" as a group of people who were exploited and needed support. The workforce was portrayed as dedicated and committed, yet consistently ill and injured as a result of the inadequate health and safety provisions documented by OSHA. They were also depicted as subject to gross intimidation for exercising the legal union-regulated grievance procedures, as documented by the NLRB. New Era, on the other hand, was found guilty on several counts of violating federal labor laws and refusing to bargain in good faith or meet with independent monitors. The publication of these reports, their distribution to college licensors and presidents, and the lobbying power of FLA members jeopardized New Era's existing contracts. This gave the workers and students the leverage they needed to force New Era back to the bargaining table and eventually allowed the WRC full access to the facilities at Derby. Thus, the movement was a success because the participants in the struggle were ultimately viewed as legitimate and were therefore able to force New Era to accommodate their demands.

Worker Alliances and Community Activism

The most obvious form of protest against New Era involved local union members and other activists who marched on the picket line and held rallies. Workers

representing Civil Service Employees of American, United Automobile Workers (UAW), the Teamsters, the Iron Workers, the American Federation of State, County and Municipal Employees, the CEJ, CWA, USAS and dozens of local residents accompanied the marching workers and helped draw media attention to the strike, all of which ultimately transformed the struggle into a national campaign. CWA formed a Mobilization Outreach Committee to coordinate community activities. Printing, Publishing and Media Workers Section (PPMWS) members also worked with the district and community coalitions to assist the local, which allowed CWA to expand its publicity campaigns and utilize paid advertising (CWA document 2001). The strikers received material and financial assistance from the American Legion, local unions, and peace organizations. A local UAW set up and stocked a food bank for the striking marchers (including cereal and diapers, as many of the workers were single mothers), and local vending companies and restaurants provided refreshments. Much of the motivation for assisting the workers came from a genuine sense of moral outrage over how the workers were treated. In Howald's words, "the local activists were unbelievable . . . they bought into the idea of workers being used up, abused, and treated as expendable" (Howald Interview 2003). This collective identity of the workers and their supporters was built on emotional ties and a shared sense of injustice that cut across class interests.

The union-busting activities of a large MNC against the labor force pitted the company against the local population. Because New Era had historically been an integral part of the community and hired such a large percentage of the population, the strike produced much friction among the workers themselves (Howald Interview 2003). In fact, New Era aggressively recruits entire families to work at the plant, using this monopoly as leverage to secure worker loyalty and dependence on employment opportunities. Because some of the employees were related by blood or marriage (in 2001 the workforce included forty-five married couples), the layoffs had a devastating impact on both individual families and the entire community. This only bolstered the image of undeserved suffering and made the workers seem all the more worthy of support. The unity between the workers and other activists, their sheer numbers, and their dedication to the cause strengthened the level of solidarity and tarnished the image of New Era as a "family-oriented" company. In this instance the movement was successful in altering public opinion.

This also supports Fantasia's (1988) argument that communities, ideology, and consciousness are made and remade in the process of contention. Reflecting on his research on labor conflict, he explains, "Workers then engaged in new forms of activity (militant, direct action), created new associational bonds in practical forms (essentially emergent social movements), and developed new-found values of mutual solidarity (a new sense of 'us', a new sense of 'them'), and emergent moral sensibilities about the values associated with them each" (pp. 232–33). One of the most meaningful activities that the workers at the Derby plant engaged in to enhance their solidarity and define themselves in opposition to the target of their protest was what they called "scab time." When nonunionized workers who had broken the picket line got off their shifts, the protesters outside of the factory would chant, play music, sing songs, and engage in other types of theater to emphasize their resolve in the struggle.

In spite of the antagonistic nature of the struggle, the workers endured and used their time productively at all times during the strike. When not walking the picket line, workers were writing letters to politicians and the CEOs of New Era's retailers and their manufacturers. They attended weekly meetings to learn about labor history and the interconnectedness of their struggle with the global economy. Increasing worker awareness of larger issues proved invaluable to the struggle. According to Maria White, director of the CEJ, prior to understanding more about NAFTA, many WNY workers had a protectionist view in that they felt that people in the developing world were taking their jobs. She explains that "the workers were in a cocoon, perceiving the problem to be one exclusive to their own life in upstate New York" (White Interview 2003). One worker, Terry Hilburger, reveals that when Koch told her to vote against the CWA or else New Era would "go global," she had no idea what he meant. "I thought, oh good, we're going to get orders from everywhere, lots of work in the plant. It's not what he meant. 'Global' meant getting people in Bangladesh to make caps for 89 cents. Now we know better. They're making millions here, but they want more millions. That's the bottom line" (USAS 2001:9). Through consciousness-raising about what Walsh (1981) calls "suddenly imposed grievances," workers became empowered by joining in solidarity with other local activists to address a global issue that was impacting the local community.

In a local press release, Howald spelled out the local/global connection and explained how the dictates of global capitalism and the power of MNCs affect local communities and individuals: "In a year, our plant alone brings in \$36 million for the company—enough to double the pay of everyone . . . [T]his company is rolling in money and screwing its workers to make even more. It's corporate greed at its worst. And it's devastating our community, where the official government poverty level for the region is \$29,000 for a family of four. Here where we live, 40% of the households are below the poverty rate and New Era wants to drive it even lower."

The CEJ, the local affiliate of JwJ, also played an integral role in the victory. Its philosophy sums up the agenda of social movement unionism: the social justice movement should work in permanent and lasting coalitions not based on exclusive issues (White Interview 2003). JwJ serves as an umbrella organization that unites labor and other organizations fighting for issues such as criminal justice reform, immigrant rights, farm workers rights, health care rights, and civil rights under a broad commitment to social justice. The organization is made up of both member organizations and thousands of individual activists who strategize to build a base of diverse constituencies at the local level, while providing training coordination and networking at the national level.

One of the strategies JwJ employs is to distribute pledge cards by which the signers agree to support other groups' struggles at least five times a year. From the information supplied on the pledge card, the CEJ creates an activist database, which it uses to send online rapid response and action alerts about upcoming issues. This strategy allowed workers at the Derby factory to establish local and international solidarity with other actors by attending and helping organize events outside of their specific struggle. Derby workers, for example, attended anticorporate globalization

demonstrations at the Peace Bridge (linking New York and Canada), assisted in labor struggles involving health care workers at the Sheridan Manor Nursing Home in WNY, attended legislative town hall meetings, rallies, and council meetings concerning Buffalo's living wage, and regularly attended CEJ meetings.

According to White, the pledge encourages reciprocity in order to link workers' rights struggles with the larger campaign for economic and social justice, creating a network of local coalitions that connect labor, faith-based, community, and student organizations (White Interview 2003). In recognition of the Local CWA 14177 union's ability to work in this spirit, the CEJ awarded its members with the Norman Harper Award for embodying "the hope that was created at the WTO protests in Seattle in 1999 whereby numerous and diverse groups found the ability to collectively organize around a common enemy—global corporate domination in all spheres of life. Solidarity must be extended to envelope all of those who are struggling for social and economic justice, and CWA 14177 has done this better than any labor organization in Western New York. It is because of this outreach that many groups outside the labor movement have embraced the campaign at New Era as a national movement of paramount importance."

The grassroots efforts that emerged to support the striking New Era workers exemplified many of the strategies embraced by other NSMs, such as autonomy and democratization, decentralization, egalitarianism, and ad hoc policies. The pledge system allows activists to engage in struggles with which they share a vision of global justice, but without formally affiliating with any particular organization. The CEJ and JwJ provided an overarching forum for the exchange of information and communication among activists that helped expedite the campaign and enhance coalition building. Heterogeneous groups got involved in the New Era struggle from different angles, which helped build an infrastructure that gave the community a sense of its own power. The sense of empowerment and agency came only after concerted efforts to educate the workers and the community about the global economy through consciousness-raising, information exchange, and solidarity. These types of networks bridge old and new movements because they necessarily have to address issues that cut across class dimensions and are not based on single issues. Rather, they are anchored in a sense of reciprocity across issues and borders in order to support specific struggles as they arise.

OTHER TACTICS

Activists also disrupted the point of consumption. Members of the AFL-CIO, CWA, and the NLC from all over the country sent letters to New Era and the commissioners of professional sports leagues. CWA distributed letters to businesses in the WNY community, encouraging them to write Koch to urge him to reverse the layoffs and settle the contract. They also asked local businesses to write the commissioners of the various professional sports leagues and describe how the company's actions impacted WNY. The legislative body of Erie County, which adopted a resolution supporting the struggle at New Era (and sent copies to all major professional sports league commissioners), also sent a letter to New Era requesting that it rehire the 125 laid-off workers, cancel its plans to lay off addi-

tional workers, and negotiate in good faith. Labor union members from the AFL-CIO and International Workers of the World, as well as college students from the University of Pittsburgh and Carnegie Mellon University, attended several board meetings of the Sport & Exhibition Authority, which owns the Pittsburgh Pirates. They convinced the authority's board of directors to write a letter to the Pirates urging MLB officials to sever the league's contract with New Era (Barnes 2002).

Donald Fehr, executive director of the Major League Baseball Players Association (MLBPA), contacted MLB and wrote a letter to New Era CEO Koch stating, "For years, Major League players have been proud to wear high-quality, American-made, union label caps as the representatives of our national pastime, and to lend our 'player's choice' trademark to New Era caps produced under license for our group licensing program. Under these circumstances, however, we may reassess that judgment." Responding to a request by CWA, Senator Charles Schumer of New York wrote a letter to Allan Selig, the MLB commissioner, asking him to suspend New Era's production license based on the NLRB ruling. This letter was also signed by congressional representatives Hillary Clinton and Ted Kennedy.

Activists also leafleted outside of major retail stores and residential areas around the homes of New Era executives and managers, including Koch (Cash-dollar Interview 2003). The activists' growing repertoire also included creative and symbolic forms of protests such as consciousness-raising efforts during sporting events. Protesters leafleted and organized flyovers at MLB games, picketed the World Series, and disrupted Buffalo Saber hockey games and local golf tournaments. One local hired an airplane to fly a "Don't Buy New Era Caps" banner over the All-Star Game. In a unique ruse, the Local 14177 entered two basketball teams made up of striking workers for the New Era cosponsored "Tops Shooter's Roundup" basketball tournament. The disruption of baseball games, America's favorite pastime, had a particularly symbolic and ironic dimension to it. Ballparks are obviously filled with New Era products, and they proved a critical site for activists to increase awareness of the problem. By exposing the true origins of much of the company's merchandise and the sweatshop conditions overseas and locally, the movement seriously endangered New Era's image as a company that cares about providing good jobs for American workers.

Union members and activists also distributed, all over WNY, flyers and caps with a "Don't Buy New Era" slogan that parodied the symbolism of the New Era logo. The logo, which symbolizes the American flag, is meant to represent New Era's employment of American workers. Union members designed flyers that depicted blood dripping over an X across a New Era Cap. The caption read, "New Era Cap Company—A Major League Disaster." The flyers also provided information regarding the domestic and international sweatshop conditions that the company was operating under, and its deception regarding the origin of the caps. They noted that the workers had national support from the AFL-CIO, USAS, the MLBPA, elected officials throughout New York, religious and community groups, and several universities that had suspended their licensing contracts. The flyers further charged that New Era's description of itself as an American manufacturer "should be more than just a sales pitch."

These flyers were very instrumental in framing the issue in a way that drew

widespread support. They portrayed the issue as both a global and a local problem that was hurting those inside and outside of the community, and that this was a direct result of corporate greed. The flyers also publicized the fact that New Era was being resisted on several fronts. Thus, the mobilization efforts included both instrumental and symbolic forms of resistance and tactics. Participants engaged in both a corporate campaign to boycott New Era and sustained grassroots community mobilization that worked in solidarity with national and international actors. Thus, framing, collective identity, and emotional ties worked in conjunction with effective mobilization strategies. Letters from third parties including politicians, commissioners of professional sports (in particular the letter from the director of the MLBPA), and retailers strengthened the position of the workers and clearly gave them influence over the settlement. Through symbolic forms of protest, activists were militant yet able to gain sympathy from much of the public by tarnishing the image of a highly visible MNC.

CONCLUSION

The ideological frame expressed by the workers, students, and other activists in the New Era campaign, that people should matter more than profits, is shared by many Americans. A poll taken in 1999 by the Program on International Policy Attitudes at the University of Maryland shows that most Americans are unhappy with the direction globalization has taken:

54% said US trade policy makers consider the concerns of MNCs too much.

72% said they were giving too little consideration to working Americans.

88% agree that increasing international trade is an important goal for the US, but it should be balanced with other goals, such as protecting workers, the environment, and human rights—even if this may mean slowing the growth of trade and the economy.

74% agreed that if people in other countries are making products that we use, this creates a moral obligation for us to make efforts to ensure that they do not have to work in harsh or unsafe conditions.

75% said they would be willing to pay \$25 instead of \$20 for a piece of clothing that is certified as not having been made in a sweatshop. (PIPA 1999)

Given this sentiment, the mobilization of citizens is key to the labor movement's revival. To combat poor working conditions, the labor movement must come to embody a broad partisan force that encompasses a wide spectrum of social groups. It must attempt to fuse with other NSMs while maintaining a class vision in order to form a new class politics. This case study adds to the explanatory power of social movement theory by refining our understanding of how collective identity can be forged and maintained across class- and issue-based boundaries in an all-encompassing struggle for social justice. In the New Era action, activists strategized to take advantage of new opportunities created by emerging social structures with novel forms of collective action. This research confirms Clawson's suggestion that "A set of militant workers, with good organizers, building broad alliances, and targeting a high-visibility employer might create

a confrontation and win a victory that would change the terrain and become a model inspiring others" (Clawson 2003:201). That the challengers knew how to confront an organization while gaining sympathy for workers played a key role in this struggle and set it apart from other struggles. By exposing the hypocrisy behind the company's marketing ploys and its projected image as an American company that fosters a "family environment," the protestors gained support by using strategic and symbolic forms of protest to disrupt the points of both production and consumption.

The framing of the central issue as one of corporate greed that was affecting workers in both the North and South conflated economic and ethical concerns; everyone is subject to economic, social, and cultural exploitation under the current arrangements. Whatever their specific affiliation, the challengers in this struggle all shared a common vision, sense of values, ideology, emotions, and politics, and all of these factors played a role in this mobilization for economic security, human dignity, and community well-being.

Whether or not this model can be replicated is questionable, for there were a few things that made this struggle unique. For example, the popularity of sport in U.S. culture played a role. Baseball and baseball caps are omnipresent in U.S. society, and therefore the boycott made the issue easily identifiable and caught the interest of the national media. More mundane products that cannot be easily or symbolically tied to social injustice, or that are not as visible in everyday life, may make a campaign more difficult. Also, if the company or CEO is supposedly an advocate for worker rights and safeguarding American jobs (as Koch claimed to be), activists can use this against the company if it is not holding true to its marketed image. This worked well in the campaign against New Era. However, when the NLC tried to shame Disney Corporation for its labor abuses in Haiti in the mid-1990s, the boycott had little success (Ross 1999). One reason was the commodity. Unlike baseball caps, which have the brand-name tag on the inside and are indistinguishable across brands on the outside, Disney products are uniquely Disney, and easily identified as such. Another is the consumer base. The largest consumers of Disney products (particularly toys) are children, and many parents feel guilty about depriving their kids of the latest Disney rage (Ross 1999). Also, Disney CEO Michael Eisner never presented himself as an ally of workers' rights. Finally, and perhaps most significantly, USAS had not yet been formed and did not participate in this campaign. What set the New Era victory apart from other, unsuccessful struggles was the combination of structural factors, emerging opportunities, organizing tactics, the formation of social movement unionism, and a strong sense of collective identity forged through a shared sense of moral outrage that was at least in part manifested through instrumental concerns.

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